

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) 2:11-CR-312-MMD-(PAL)
ANIL (“ANDY”) MATHUR,)
Defendant.)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on January 8, 2013, defendant ANIL (“ANDY”) MATHUR pled guilty to Count One of a Nine-Count Criminal Indictment charging him with Offering and Paying Remuneration in violation of Title 42, United States Code, 1320a-7b(b)(2)(A). Criminal Indictment, ECF No. 1; Change of Plea Minutes, ECF No. 131; Plea Agreement, ECF No. 132.

This Court finds defendant ANIL (“ANDY”) MATHUR agreed to the forfeiture of the property set forth in the Plea Agreement. Change of Plea Minutes, ECF No. 131; Plea Agreement, ECF No. 132.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between the property agreed to in the Plea Agreement and the offense to which defendant ANIL (“ANDY”) MATHUR pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 982(a)(7) and Title 21, United States Code, Section 853(p):

...

- 1 a. \$1,500.00 in United States Currency (kickback/bribe paid by defendant on
- 2 July 30, 2010);
- 3 b. \$1,500.00 in United States Currency (kickback/bribe paid by the defendant
- 4 on August 10, 2010);
- 5 c. \$3,000.00 in United States Currency (kickback/bribe paid by the defendant
- 6 on December 7, 2010); and
- 7 d. an *in personam* criminal forfeiture money judgment of \$14,347.68 in United
- 8 States Currency (the amount paid by Medicare for services rendered after
- 9 March 23, 2010) (“property”).

10 This Court finds the United States of America is now entitled to, and should, reduce the
11 aforementioned property to the possession of the United States of America.

12 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
13 United States of America should seize the aforementioned property.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
15 ANIL (“ANDY”) MATHUR in the aforementioned property is forfeited and is vested in the United
16 States of America and shall be safely held by the United States of America until further order of the
17 Court.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
19 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
20 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
21 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
22 the name and contact information for the government attorney to be served with the petition,
23 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
25 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

26 . . .

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
2 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
3 following address at the time of filing:

4 Michael A. Humphreys
5 Assistant United States Attorney
6 Daniel D. Hollingsworth
7 Assistant United States Attorney
Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
9 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
10 following publication of notice of seizure and intent to administratively forfeit the above-described
11 property.

12 DATED this 11th day of April, 2013.

13
14 
15 UNITED STATES DISTRICT JUDGE

1 **PROOF OF SERVICE**

2 I, Michelle C. Lewis, Paralegal Specialist, certify that the following individuals were
3 served with copies of the Preliminary Order of Forfeiture on April 10, 2013, by the below
4 identified method of service:

5 CM/ECF:

6 Thomas F. Pitaro
7 1212 S. Casino Center Blvd.
Las Vegas, NV 89104
Email: thomaspitaro@yahoo.com
Attorney for Anil "Andy" Mathur

10 _____
11 /s/Michelle C. Lewis
Michelle C. Lewis
Paralegal Specialist